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Patent No.: 26308

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Macoviak et al.

Docket No.: 9542.18429-FOR

Serial No.: 10/676,815

Examiner: Unknown

Filed: 1 October 2003

Group Art Unit: 3738

Title: Devices, Systems, and Methods for Supplementing, Repairing, or Replacing a Native Heart Valve Leaflet

RENEWED PETITION FOR AN UNINTENTIONALLY DELAYED
BENEFIT CLAIM PURSUANT TO 37 C.F.R. §1.78(a)(3)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests to amend the benefit claim under 35 U.S.C. §120 of the above-noted application, as follows in marked-up form:

This application ~~claims the benefit~~ is a continuation-in-part of co-pending United States Patent Application Serial No. 09/666,617, filed September 20, 2000 and entitled "Heart Valve Annulus Device and Methods of Using Same," which is incorporated herein by reference. This application ~~is also claims the benefit~~ a continuation-in-part of Patent Cooperation Treaty Application Serial No. PCT/US 02/31376, filed October 1, 2002 and entitled "Systems and Devices for Heart Valve Treatments," which claimed the benefit of United States Provisional Patent Application Serial No. 60/326,590, filed October 1, 2001, which are incorporated herein by reference. This application also claims the benefit of United States Provisional Application Serial No. 60/429,444, filed November 26, 2002, and entitled "Heart Valve Remodeling Devices;" United States Provisional Patent Application Serial No. 60/429,709, filed

November 26, 2002, and entitled "Neo-Leaflet Medical Devices;" and United States Provisional Patent Application Serial No. 60/429,462, filed November 26, 2002, and entitled "Heart Valve Leaflet Retaining Devices," which are each incorporated herein by reference.

Applicant states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of 37 C.F.R. §1.78 and the date the claim was filed was unintentional.

A Preliminary Amendment amending the benefit claim as proposed herein is attached.

Applicant hereby petitions for acceptance of the unintentionally delayed benefit claim.

The requisite fee under 37 C.F.R. §1.17(t) was previously submitted on 8 November 2004.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach
Registration No. 50,295

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
(262) 783 - 1300
20 April 2005
Customer No.: 26308

Ample/18429-FOR/050420 Renewed Petition Under 37 C.F.R. 1.78(a)(i)

Enclosures: Copy of Preliminary Amendment
Return postcard



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Title: Devices, Systems, and Methods for Supplementing, Repairing, or Replacing a Native Heart Valve Leaflet

PRELIMINARY AMENDMENT

COPY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

Please amend the application prior to the first Office Action as follows:

AMENDMENTS TO THE SPECIFICATION

Please amend the Related Applications paragraph beginning on page 1, line 5 as follows in marked-up form:

This application ~~claims the benefit~~ is a continuation-in-part of co-pending United States Patent Application Serial No. 09/666,617, filed September 20, 2000 and entitled "Heart Valve Annulus Device and Methods of Using Same," which is incorporated herein by reference. This application is also ~~claims the benefit~~ a continuation-in-part of Patent Cooperation Treaty Application Serial No. PCT/US 02/31376, filed October 1, 2002 and entitled "Systems and Devices for Heart Valve Treatments," which claimed the benefit of United States Provisional Patent Application Serial No. 60/326,590, filed October 1, 2001, which are incorporated herein by reference. This application also claims the benefit of United States Provisional Application Serial No. 60/429,444, filed November 26, 2002, and entitled "Heart Valve Remodeling Devices;" United States Provisional Patent Application Serial No. 60/429,709, filed November 26, 2002, and entitled "Neo-Leaflet Medical Devices;" and United States Provisional Patent Application Serial No. 60/429,462, filed November 26, 2002, and entitled "Heart Valve Leaflet Retaining Devices," which are each incorporated herein by reference.

REMARKS

The priority claim has been amended to more particularly state the relation of several related applications. A Renewed Petition for an Unintentionally Delayed Benefit Claim Pursuant to 37 C.F.R. §1.78(a)(3) and is submitted herewith.

Entry of this Preliminary Amendment is respectfully requested.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach
Registration No. 50,295

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
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7 February 2005
Customer No.: 26308
Ample/18429-FOR/050420 Preliminary Amendment



CERTIFICATE OF FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, with sufficient postage, on the date indicated below in an envelope addressed as follows: Mail Stop Petitions, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

By: Linda S. Wenzel

Dated: 20 April 2005

Linda S. Wenzel